

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SCOTT MEYER,

For Online Publication Only

Plaintiff,

ORDER
20-CV-6086 (JMA) (LGD)

-against-

NEW YORK STATE DEPARTMENT OF
CORRECTIONS AND COMMUNITY
SUPERVISION and COMMISSIONER
ANTHONY ANNUCCI,

**FILED
CLERK**

10:49 am, Jun 26, 2023

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Defendants.

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AZRACK, United States District Judge:

Currently pending before the Court is the motion of Defendants New York State Department of Corrections and Community Supervision and Commissioner Anthony Annucci (“Defendants”) to dismiss Plaintiff Scott Meyer’s (“Plaintiff”) amended complaint. (ECF No. 23-5.) In a Report and Recommendation issued on June 9, 2023, the Honorable Magistrate Judge Lee G. Dunst recommended that Defendants’ motion to dismiss be granted in full. (ECF No. 27 (“R&R”).)

In reviewing a magistrate judge’s report and recommendation, a court must “make a de novo determination of those portions of the report or...recommendations to which objection[s] [are] made.” 28 U.S.C. § 636(b)(1)(C); see also United States ex rel. Coyne v. Amgen, Inc., 243 F. Supp. 3d 295, 297 (E.D.N.Y.), aff’d sub nom. Coyne v. Amgen, Inc., 717 F. App’x 26 (2d Cir. 2017). The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See Pall Corp. v. Entegris, Inc., 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

To date, no objections have been filed to the R&R and the deadline for filing any such objections has passed. I have reviewed the R&R for clear error, and finding none, I adopt the R&R in its entirety as the opinion of this Court. Accordingly, Defendants' motion to dismiss Plaintiff's amended complaint is granted and Plaintiff's amended complaint is dismissed with prejudice. The Clerk of the Court is respectfully requested to close the case.

SO ORDERED.

Dated: June 26, 2023
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE